

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 37388-405800)RECEIVED
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OCT 14 2008

In re the Application of:) Customer No. 27717
Kenneth George Brash)
Serial No.: 10/582,320) Art Unit: 3721
Filed: February 26, 2007) Examiner: Paradiso
For: RESIDUAL GAS REMOVAL)
METHOD)

TO: MAIL STOP: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated September 23, 2008, applicant's attorney has attempted to call Ms. Liles, Legal Instruments Examiner, at (571) 272-4364 on several occasions without receiving a response. Accordingly, we hereby make our response in writing:

We do not understand the basis of the non-compliant amendment.

The Amendment recently filed in this application by facsimile on August 19, 2008 was deemed non-compliant in that "... Claims 29-73 not in 6/9/08 amendment." Also it is alleged that status identifiers are absent.

Another Amendment was filed in this case, dated June 9, 2006, not 2008, as stated by the Examiner. However, by our file copy of this Amendment, all 73 claims are present and properly identified as to their status. Also, all status identifiers are present in the August 19, 2008 amendment.

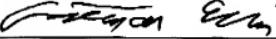
CH1 11580019.1

PAGE 1/2 * RCVD AT 10/13/2008 1:46:17 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/10 * DNI:2738300 * CSID:3124607000 * DURATION (mm:ss):00-28

Accordingly, we need further communication from the Examiner to confirm what the problem is and to correct it. If pages are missing from the PTO copy of the June 9, 2006 Amendment, we of course are ready and willing to provide new copies.

Respectfully submitted,

SEYFARTH SHAW LLP

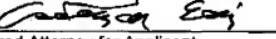


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Certificate of Facsimile

I hereby certify that this correspondence is being sent via Facsimile to the U.S. Patent and Trademark Office (Fax No. 571-273-8300) on Oct 13, 2008.



Registered Attorney for Applicant
Date: Oct 13, 2008